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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

RHONDA FLEMING,)	No. 3:22-cv-05082-RFL
)	
Plaintiff,)	ADMINISTRATIVE MOTION TO STAY ALL
)	PROCEEDINGS
v.)	
)	
UNITED STATES OF AMERICA, et al.,)	
)	The Honorable Rita F. Lin
Defendants.)	
)	

Pursuant to Fed. R. Civ. P. 6(b) and Local Rule 7-11, Defendants move the Court to stay all proceedings and briefing schedule, including Defendants' Reply to Plaintiff's Briefs in Opposition to Defendants' Motions to Dismiss currently due on October 10, 2025, for the foregoing reason.

1. At the end of the day on September 30, 2025, the appropriations act that had been funding the Department of Justice expired and appropriations to the Department lapsed. The same is true for several other Executive agencies. The Department does not know when funding will be restored by Congress.

2. Absent an appropriation, Department of Justice attorneys and employees are prohibited

1 from working, even on a voluntary basis, except in very limited circumstances, including “emergencies
2 involving the safety of human life or the protection of property.” 31 U.S.C. § 1342.

3 3. Undersigned counsel for the Department of Justice therefore requests a stay of all
4 proceedings including the briefing schedule, until Congress has restored appropriations to the
5 Department. *See also* Declaration of Kimberly L. Lubrani, attached hereto as Exhibit A.

6 4. If this motion for a stay is granted, undersigned counsel will notify the Court as soon as
7 Congress has appropriated funds for the Department. The Government requests that, at that point, all
8 current deadlines for the parties be extended commensurate with the duration of the lapse in
9 appropriations.

10 Therefore, although we greatly regret any disruption caused to the Court and the other litigants,
11 the Government hereby moves for a stay in this case until Department of Justice attorneys are permitted
12 to resume their usual civil litigation functions.

13 DATE: October 1, 2025

Respectfully submitted,

14 DAVID M. TOEPHER
15 Acting United States Attorney
Northern District of Ohio

16 /s/ Kimberly L. Lubrani
17 Kimberly L. Lubrani
18 Assistant United States Attorney
19 Acting Under Authority Conferred by
20 28 U.S.C. § 515



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24 **DATED: October 3, 2025**
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